

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

| | | |
|------------------------|---|---------------------|
| DELORIS PHILLIPS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO. |
| VS. |) | |
| |) | 3:10-CV-1197-G (BH) |
| UNITED PARCEL SERVICE, |) | |
| |) | |
| Defendant. |) | |

ORDER

After being granted leave, plaintiff filed an amended complaint on January 18, 2011. The court declines to adopt the findings, conclusions, and recommendation of the United States Magistrate Judge dated November 30, 2010, that the motion to dismiss plaintiff's prior complaint be granted. Based on the filing of the amended complaint, defendant's Rule 12(b)(6) motion to dismiss the previous complaint, filed August 9, 2010 (docket entry 67) is **DENIED** as moot.

SO ORDERED.

February 8, 2011.



A. JOE FISH
Senior United States District Judge